

**CITY OF TIGARD, OREGON**

**RESOLUTION NO. 05- 24**

**A RESOLUTION DIRECTING THE ENGINEERING STAFF TO PREPARE A PRELIMINARY ENGINEER'S REPORT FOR THE PROPOSED SW 79<sup>TH</sup> AVENUE LOCAL IMPROVEMENT DISTRICT AND DIRECTING THE ESTABLISHMENT OF A FUNDING MECHANISM FOR THE PREPARATION OF THE REPORT.**

---

**WHEREAS**, SW 79<sup>th</sup> Avenue, from SW Bonita Road to SW Durham Road, is designated as a neighborhood route in Tigard's Transportation System Plan; and

**WHEREAS**, a significant portion of the street is in substandard condition and requires reconstruction and vertical realignment to meet current geometric standards; and

**WHEREAS**, the owners of five lots along SW 79<sup>th</sup> Avenue representing forty-eight percent of the total area of the proposed local improvement district (LID), have requested that a LID be formed to improve the street to meet current standards; and

**WHEREAS**, the Engineering staff prepared a Preliminary Evaluation Report (attached), which was submitted to the City Council for discussion and direction during its March 8, 2005 meeting; and

**WHEREAS**, the Preliminary Evaluation Report determined that the proposed LID appears feasible and recommended that the City Council take the next step in the LID formation process by authorizing the preparation of a Preliminary Engineer's Report; and

**WHEREAS**, the Preliminary Evaluation Report recognized that there is no funding currently available to proceed with the project and recommended that the City Council direct the establishment of that funding mechanism by designating the Gas Tax Fund as the funding source; and

**WHEREAS**, the City Council discussed the proposed LID and indicated that the LID boundary and improvements to be constructed by the LID are satisfactory as submitted; and

**WHEREAS**, the City Council has directed staff to prepare a resolution authorizing preparation of a Preliminary Engineer's Report and submit that resolution for adoption at a City Council business meeting.

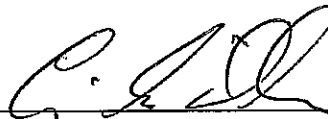
**NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:**

**SECTION 1:** The Engineering staff is directed to proceed with preparation of a Preliminary Engineer's Report for the proposed LID in accordance with the proposed LID boundary and improvements as described in Alternative 1 of the Preliminary Evaluation Report.

**SECTION 2:** The Preliminary Engineer's Report should include the scope of work, location of the proposed improvements, proposed district boundaries, estimated cost, proposed assessment methods, and other information that may be relevant to the feasibility of the improvements and district. The report should recommend approval, approval with conditions, or denial.

- SECTION 3:** The City of Tigard shall provide the funding for preparation of the Preliminary Engineer's Report. The amount needed for FY 2004-05 to prepare the report is approximately \$60,000.
- SECTION 4:** The City staff is directed to establish the funding mechanism in that amount for the engineering work using the Gas Tax as a funding source. Any budget adjustments requiring Council action and necessary for the establishment of the project funding shall be brought to Council for appropriate action.
- SECTION 5:** All costs incurred after the date of this resolution to prepare the Preliminary Engineer's Report and form the district shall be included as part of the LID costs and shall be reimbursed to the City if the LID is formed and the improvements are constructed.
- SECTION 6:** This resolution is effective immediately upon passage.

**PASSED:** This 12<sup>th</sup> day of April 2005.

  
\_\_\_\_\_  
Mayor City of Tigard

**ATTEST:**

  
\_\_\_\_\_  
Greer A. Gaston, Deputy City Recorder

h:\eng\reg\lid\sw 78th av\sw 78th pre report res.doc

## **Preliminary Evaluation Report**

### **Proposed Formation of a Local Improvement District to Construct Improvements on 79<sup>th</sup> Avenue Between Gentle Woods Drive and Bonita Road**

#### **Background**

A Local Improvement District (LID) is proposed to construct improvements on 79<sup>th</sup> Avenue between Gentle Woods Drive and Bonita Road. This residential area consists of both a growing number of smaller subdivided lots as well as larger lots laid out in the original Durham Acres subdivision from 1911. As can be expected, the area density has grown tremendously and the need to improve the roadway and infrastructure has emerged. Not all of the residents agree on what should be done to address the situation. For example, in the year 2000, the 79<sup>th</sup> Avenue Reconstruction Project (Durham Road to Bonita Road) was a candidate for the proposed transportation bond measure but was eliminated after certain property owners objected to the proposed improvements voicing their desire to keep thru-traffic off their street. The project was not constructed, and the condition of the roadway has worsened. In an effort to pursue an improved roadway, the owners of five (5) lots on 79<sup>th</sup> Avenue near Bonita Road have formally expressed their interest in the establishment of a LID. These owners represent 48% of the total area within this proposed 79<sup>th</sup> Avenue LID. As of June 2004, the combined assessed value of these lots is \$1,358,290.00.

#### **Current Situation**

Through the proposed improvements of the 79<sup>th</sup> Avenue LID, this neighborhood route will receive several distinct enhancements to their current roadway facilities. For example, the narrow road widths and excessive vertical curves would be reconstructed and realigned to improve travel and visibility. The lack of existing sidewalks and bike lanes would also be addressed. In addition, the south end of this proposed LID boundary would connect to the terminus of an existing half-street improvement (roadway and sidewalk). In turn, 79<sup>th</sup> Avenue would provide approximately a half-mile of roadway improvements south of Bonita Road. In addition, several lots that are currently excluded from the public sewer would benefit from new service laterals.

Once the improvements associated with this LID have been completed, the affected portions of 79<sup>th</sup> Avenue will be more compliant with the City of Tigard roadway design standards. In addition, an improved sense of visual continuity within the area will be experienced by the residents and traveling public.

If Council moves to proceed with establishing the 79<sup>th</sup> Avenue Local Improvement District, the following estimated time line can be expected.

- City Engineer submits Preliminary Evaluation Report (March 8, 2005)
- Council directs staff to submit a resolution authorizing preparation of a Preliminary Engineer's Report (April 12, 2005)

- Council Approves Preliminary Engineer's Report (June 14, 2005)
- Declaration of intention to form the LID (June 28, 2005)
- District Formation (July 12, 2005)
- Prepare Final Plans/Specifications (by end of August 2005)
- Construction (September 2005 through May 2006)
- Determine/Levy Assessments by Ordinance (after completion of construction)

## Alternatives Considered

- **Alternative 1:**  
**Full-Width Street improvements**  
79<sup>th</sup> Avenue – 1,070 ft (approximately)  
 From the Leiser Park development terminus to the southern LID boundary at the Gentle Woods development terminus.

**Half-Width Street improvements**  
79<sup>th</sup> Avenue – 510 ft (approximately)  
 North from the Leiser Park development terminus to Bonita Road.

The cost of this alternative is approximately \$790,000.00.

- **Alternative 2:**  
**Full-Width Street improvements**  
79<sup>th</sup> Avenue – 530 ft (approximately)  
 From the Leiser Park development terminus to 530 ft south.

**Half-Width Street improvements**  
79<sup>th</sup> Avenue – 510 ft (approximately)  
 North from the Leiser Park development terminus to Bonita Road.

The cost of this alternative is approximately \$520,000.00.

## Utilities

In terms of available storm and sewer facilities within the proposed boundary of the 79<sup>th</sup> Avenue LID, there is a definite potential for enhancement. As of now, 79<sup>th</sup> Avenue has existing storm and sewer improvements from Bonita Road to the south terminus of the Leiser Park development (520 ft south of Bonita Road).

### Sewer

A feasibility study should be performed to assess the possibility of a sewer line installation throughout the proposed limits of the LID. Alternative #1 presents the opportunity for sewer improvements directed through Tax Lot 1500, owned by Cornutt Enterprises, LLC.

## **Storm Drain**

Within the proposed LID boundary are several existing grass or rock-lined swales that collect/direct runoff to an existing creek east of 79<sup>th</sup> Avenue. It is recommended that a feasibility study be performed to determine the possibility of directing all storm runoff into this existing creek. Again, Alternative #1 presents the opportunity for runoff to be directed through Tax Lot 1500, owned by Cornutt Enterprises, LLC.

## **Water**

According to the information in the City of Tigard's Magic GIS Project program, there appears to be an 8-inch Tigard Water District Water line that runs down 79<sup>th</sup> Avenue. In addition, water utility features and fire hydrants were observed. However, further investigation needs to be performed to determine the exact locations of the water utility features throughout the proposed LID. Then, recommendations can be made on the limits of water utility improvements.

## **Gas**

Further investigation and location will be needed to determine the improvements throughout the proposed LID.

## **Power, Telephone, Cable and Street Lights**

Currently, there are overhead lines on 79<sup>th</sup> Avenue that supply power, telephone and cable service. It is recommended that these overhead utilities be placed underground as part of the scope of work involved with the LID. There are currently no street lights on 79<sup>th</sup> Avenue within the proposed boundary of the LID.

## **Street Design Requirements**

The City of Tigard Design Standards, in conjunction with the Tigard Transportation System Plan, call for the following on Neighborhood Routes such as 79<sup>th</sup> Avenue:

### **Neighborhood Route - 79<sup>th</sup> Avenue**

Required ROW:	50 - 60 ft
Pavement requirement:	28-36 ft curb-to-curb
Vehicle Lane Width:	9-10 ft
On-Street Parking:	8 ft
Sidewalks:	5 ft wide
Landscape Strips:	Where Appropriate
Curb Extensions:	Consider on Pedestrian Routes

## **Right of Way Acquisition**

In order to satisfy the City of Tigard Design Standards, in conjunction with the Tigard Transportation System Plan for Required ROW (60'), seventeen (17) lots within the proposed LID boundary for Alternative #1 require right-of-way acquisition. The required

right-of-way acquisition is approximately 0.57 acres (or 25,022 sq ft). The required right-of-way acquisition for Alternative #2 is approximately 0.39 acres (or 17,066 sq ft).

### **Issues To Be Resolved**

Some of the major issues that need to be resolved for the successful implementation of the improvements in the proposed LID are:

- LID boundary and included property owners.
- Right of Way Acquisition of property for widening purposes.
- Sewer improvements on 79<sup>th</sup> Avenue through the Capital Improvement Program.
- Modifying the current design to conform with current standards
- Connect to the existing curb and gutter where possible.
- Location and identification of existing utilities.

### **Recommendations**

The LID appears feasible. To comprehensively address the deficiencies on 79<sup>th</sup> Avenue, staff recommends the following:

- That Council direct staff to proceed with the next step in the LID process. This would require a resolution directing staff to proceed with the preparation of a Preliminary Engineer's Report. This report would examine the
- That Alternative #1 be pursued, which would establish the southerly boundary just north of Gentle Woods Drive.
- That a funding source be established to prepare the Preliminary Engineer's Report. This action could be taken in conjunction with the resolution directing staff to proceed with the LID process.

\\eng\gus\proposed lids\79th avenue\proposed 79th avenue lid - preliminary evaluation report.doc